

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2:06cr75

CHRISTINE WARREN RUDOLF,

Defendant.

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

Defendant, by consent, has appeared before me pursuant to Federal Rule of Criminal Procedure 11, and referral from a United States District Judge, and has entered a plea of guilty to a single count Criminal Information. After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary, and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted and that Defendant be adjudged guilty and have sentence imposed accordingly.¹

¹The order of reference entered by U.S. District Judge Kelley on June 5, 2006, indicates that he has reserved the question "whether to accept or reject any associated plea agreement" when acting upon the instant Report and Recommendation. In this case, the plea agreement between the United States and Defendant, filed herein subject to acceptance of Defendant's guilty plea, contains, at paragraph H, a broad waiver of Defendant's right of appeal,

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b) (1) (B) .

/s/

F. Bradford Stillman
United States Magistrate Judge

Norfolk, Virginia

July 11, 2006

stated in pertinent part as follows: "I hereby waive my right of appeal as to any and all issues in this case and consent to the final disposition of this matter by the United States District Court. I further waive any right I may have to collaterally attack any sentence imposed in any future proceeding, including but not limited to my rights, if any, under 28 U.S.C. § 2255."

Clerk's Mailing Certificate

A copy of the foregoing Report was mailed this date to each of the following:

Jeffrey A. Swartz, Esquire
Rabinowitz, Swartz, Taliaferro, Swartz
& Goodove, P.C.
Town Point Center, Suite 800
150 Boush Street
Norfolk, Virginia 23510

Anthony P. Giorno, Esquire
Assistant United States Attorney
United States Attorney's Office
P.O. Box 1709
Roanoke, Virginia 24008

Fernando Galindo, Acting Clerk

By _____
Deputy Clerk

_____, 2006